

cle, in which case he shall be tried in such other state, and in all questions of citizenship the burden of proof shall be on the offender.

Approved April 4, 1870.

### COMMISSIONERS TO EXAMINE FISHERIES.

1870, c. 297 entitled an act to authorize the governor to appoint commissioners to examine the fisheries of the state with a view to their improvement and protection, and to report thereon to the next general assembly, and to appropriate a sum of money to defray the expense thereof, enacts :

1. The governor is hereby authorized to appoint two competent persons, whose duty it shall be to inspect the bay, marine and river fisheries of the state, and to report upon the same to the general assembly as soon after its next meeting as practicable, suggesting such legislation as may be most conducive to the protection and improvement of the said fisheries.

2. The commission hereby authorized, shall continue in existence for two years from the date of its appointment, and shall cease and determine upon the presentation of its report, as herein required, unless its existence be further prolonged by future legislative action.

3. The sum of one thousand dollars per annum, or so much thereof as may be necessary, is hereby appropriated to defray the actual expenses of the said commissioners incurred in the performance of their duty, to be paid by the treasurer of the state on the presentation of their accounts, when approved by the governor, out of any moneys in the treasury not otherwise appropriated.

Approved and in force April 4, 1870.

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## ARTICLE XLII.

### Governor.

7. Governor may change sentence, or may pardon.

1870, c. 306 repeals and re-enacts section 7 adding an additional clause :

1870, c. 306.

Governor may  
change sen-  
tence or may  
pardon.

SEC. 7. The governor, upon giving the notice required by the constitution, may commute or change any sentence of death into confinement in the penitentiary or banishment, for such period as he shall think expedient, and on giving such notice he may pardon any person convicted of crime on such conditions as he